

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

STATE OF TEXAS, *et al.*,

Plaintiffs

v.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

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NO. 1:14-CV-00254

**UNOPPOSED MOTION FOR LEAVE TO FILE *AMICUS* BRIEF BY JANE DOE #1,  
JANE DOE #2, AND JANE DOE #3**

Jane Doe #1, Jane Doe #2, and Jane Doe #3 respectfully move for leave to file the attached *amicus* brief in opposition to the Plaintiff States’ request that this Court order Defendants to claw back the 108,000 pre-injunction three-year grants of deferred action issued under 2012 DACA, update their records and databases to reflect two-year grants and EADs, and transfer the personally identifying information of the 108,000 grantees to the States.

Federal district courts have the inherent authority to permit *amici curiae* to assist in the Court’s proceedings, and courts “exercise great liberality in permitting an *amicus curiae* to file a brief in a pending case.” *United States v. Louisiana*, 751 F. Supp. 608, 620 (E.D. La. 1990). In particular, “[a]n *amicus* brief should normally be allowed when a party . . . is not represented at all . . . or when the *amicus* has unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide.” *Ryan v. Commodity Futures Trading Comm’n*, 125 F.3d 1062, 1063 (7th Cir. 1997).

Because the Jane Does’ *amicus* brief would provide a necessary—but otherwise absent—voice in the dispute, the Court should grant them leave to file. Despite having no one to speak

for them before the Court, the 108,000 grantees are the ones who will be the most affected by the States' proposal. As undocumented immigrants, mothers of U.S. citizen children, and longtime residents of South Texas, only the Jane Does can lend a voice to these grantees and provide the Court with the perspective of individuals who actually seek deferred action.

Moreover, the proposed brief makes arguments on issues that Defendants ignored in responding to the States' advisory. Notably, Defendants did not respond to the issue of whether this Court should order them to update their records and databases to reflect two-year grants, despite that being a focus of the States' advisory. The Does' proposed brief addresses this issue at length, thereby ensuring that the Court will be fully briefed on the critical issues before it.

The Court has previously accepted pleadings filed by the Jane Does for review as *amicus curiae* briefs. See ECF No. 141. The Court has also granted leave for other parties to file briefs as *amici*. See, e.g., ECF Nos. 56; 68; 73; 87; 146; 165. Accordingly, the Jane Does respectfully request that this Court grant them leave to submit the attached *amicus* brief in this case.

Dated: September 4, 2015

Respectfully submitted,

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**MEXICAN AMERICAN LEGAL  
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By /s/ Nina Perales

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**CERTIFICATE OF CONFERENCE**

I, the undersigned, hereby certify that, on the 4th day of September 2015, I conferred with counsel for Plaintiffs and Defendants. Plaintiffs have advised that they do not oppose this motion. Defendants have advised that they take no position on this motion.

*/s/ Nina Perales*

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Nina Perales (Tex. Bar No. 24005046)

*Attorney for Amici Curiae*

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that, on the 4th day of September 2015, I electronically filed the above and foregoing document using the CM/ECF system, which automatically sends notice and a copy of the filing to all counsel of record.

*/s/ Nina Perales*

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Nina Perales (Tex. Bar No. 24005046)

*Attorney for Amici Curiae*